

**MINUTES OF THE
EXECUTIVE APPROPRIATIONS COMMITTEE**

Tuesday, September 18, 2018 • 10:00 a.m. • 445 State Capitol

Members Present:

Rep. Bradley G. Last, House Chair
Sen. Evan J. Vickers, Senate Vice Chair
Rep. Mike Schultz, House Vice Chair
Sen. J. Stuart Adams
Sen. Luz Escamilla
Sen. Jani Iwamoto
Sen. Peter C. Knudson
Sen. Karen Mayne
President Wayne L. Niederhauser
Sen. Kevin T. Van Tassell
Rep. Joel K. Briscoe
Rep. Francis D. Gibson
Rep. Sandra Hollins

Speaker Gregory H. Hughes
Rep. Brian S. King
Rep. John Knotwell
Rep. Angela Romero
Rep. Brad R. Wilson

Members Absent:

Sen. Jerry W. Stevenson, Senate Chair
Sen. Gene Davis

Staff Present:

Mr. Jonathan Ball, Director
Mr. Steven M. Allred, Deputy Director
Ms. Greta G. Rodebush, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1 . Call to Order/Approval of Minutes

Senate Vice Chair Vickers called the meeting to order 10:25 a.m.

MOTION: Rep. Bradley G. Last moved to adopt the minutes of July 17, 2018. The motion passed with a vote of 11 - 0 - 9 .

Yeas-11

Sen. J. Adams
Rep. J. Briscoe
Rep. F. Gibson
Rep. S. Hollins
Sen. J. Iwamoto
Rep. J. Knotwell
Sen. P. Knudson
Rep. B. Last
Sen. K. Mayne
Rep. M. Schultz
Sen. E. Vickers

Nays-0

Absent-9

Sen. G. Davis
Sen. L. Escamilla
Rep. G. Hughes
Rep. B. King
Sen. W. Niederhauser
Rep. A. Romero
Sen. J. Stevenson
Sen. K. Van Tassell
Rep. B. Wilson

2 . Federal/Non-federal Grants

Mr. Ken Matthews, Federal Assistance Management Officer, Governor's Office of Management and Budget, presented the report for September 2018. Mr. Gary Syphus, Fiscal Analyst, Office of the Legislative Fiscal Analyst (LFA), provided assistance.

[2-Federal/Non-federal Grants Packet, September 2018](#)

Sen. Jani Iwamoto asked for more information about the Underground Injection Control grant and the Multimodal Network Connectivity Pilot grant. Mr. Matthews indicated that he would follow up on her request for more information.

Chair Vickers asked if any of the grants' state match allocations had changed from previous budgets. Mr. Matthews responded.

Chair Vickers inquired about the state match for the National Guard Military Operations and Maintenance grant. Mr. Matthews responded. Chair Vickers asked the Utah National Guard (UNG) to comment on the state match.

Mr. Mike Norton, Financial Director, UNG, talked briefly about anticipated federal funding and the state's match share for the National Guard Military Operations and Maintenance grant.

Rep. Last directed Sen. Iwamoto to some additional information about Underground Injection Control grant found on page 10 of the Federal/Non-Federal Grants Report.

MOTION: Rep. Last moved to recommend acceptance of the federal and non-federal grants as outlined on page 1 of the handout entitled, "Federal/Non-Federal Grants Review and Approval" under the heading, "Grants Requiring EAC Review and Recommendation" and dated today, September 18, 2018.

Sen. Iwamoto remarked that she would still like additional information on the Multimodal Network Connectivity Pilot grant.

The vote passed with a vote of 11 - 0 - 9 .

Yeas-11

Sen. J. Adams
Rep. J. Briscoe
Rep. F. Gibson
Rep. S. Hollins
Sen. J. Iwamoto
Rep. J. Knotwell
Sen. P. Knudson
Rep. B. Last
Sen. K. Mayne
Rep. M. Schultz
Sen. E. Vickers

Nays-0

Absent-9

Sen. G. Davis
Sen. L. Escamilla
Rep. G. Hughes
Rep. B. King
Sen. W. Niederhauser
Rep. A. Romero
Sen. J. Stevenson
Sen. K. Van Tassell
Rep. B. Wilson

3 . Fiscal Health Check-up: Expenditures and Revenues

Mr. Brian Wikle, Fiscal Analyst, LFA, discussed Expenditures on the Fiscal Health Dashboard.

[3-Memorandum Re: Fiscal Health Check-Up - Expenditures and Revenues](#)

Dr. Thomas Young, Economist/Forecaster, LFA, discussed Revenues on the Fiscal Health Dashboard.

4 . Revenue Estimates Following 2018 Second Special Session

Dr. Thomas Young explained that the September revenue estimates are the May revenue estimates adjusted for changes made during the 2018 Second Special Session.

[4-Memorandum Re: Revenue Estimates Following 2018 Second Special Session](#)

MOTION: Rep. Last moved to adopt the revenue estimates as shown on the handout entitled, "September Revenue Estimates in Thousands, FY 2018 - FY 2019" and dated today, September 18, 2018. The motion passed with a vote of 15 - 0 - 5 .

Yeas-15

Sen. J. Adams
Rep. J. Briscoe
Sen. L. Escamilla
Rep. F. Gibson
Rep. S. Hollins
Rep. G. Hughes
Sen. J. Iwamoto
Rep. J. Knotwell
Sen. P. Knudson
Rep. B. Last
Sen. K. Mayne
Rep. A. Romero
Rep. M. Schultz
Sen. E. Vickers
Rep. B. Wilson

Nays-0

Absent-5

Sen. G. Davis
Rep. B. King
Sen. W. Niederhauser
Sen. J. Stevenson
Sen. K. Van Tassell

5 . Health Coverage Improvement Program

Mr. Nathan Checketts, Deputy Director, Utah Department of Health, reported on the implementation of H.B. 437, Health Care Revisions (2016 General Session).

[5-Health Coverage Improvement Program Report](#)

Mr. Checketts discussed Parent Expansion - increased income limits for parents with dependent children living at home.

Rep. Last inquired about the parent enrollment estimates. Mr. Checketts responded.

Rep. Joel K. Briscoe asked clarifying questions about the parent enrollment numbers represented on the Total Expansion Parents Enrollment by Month chart. Mr. Checketts responded.

Sen. J. Stuart Adams asked if the accountable care organizations kept data on measures that show increased quality of life. Mr. Checketts responded.

Mr. Checketts discussed Medicaid expansion for targeted adults without dependent children and residential treatment for individuals with a substance use disorder.

Rep. Brad R. Wilson inquired about Medicaid enrollment growth and the funding of the Medicaid Restricted Account. Mr. Checketts responded.

6 . Sage Grouse Expenditures

Mr. Alex Wilson, Fiscal Analyst, LFA, gave a brief introduction.

[6a-Memorandum Re: Sage Grouse Expenditures](#)

[6b-Sage Grouse Progress Overview](#)

Mr. Ryan Benson, Stag Consulting, contractor with DNR, referenced the Sage Grouse Progress Overview Report and discussed the State's conservation efforts on behalf of Sage Grouse.

Rep. Briscoe inquired about the use of appropriated funds and commented on the need for more expenditure detail.

Mr. Benson asked for direction on how to proceed with transparency while still protecting the confidentiality of the contractor's strategic approach.

Speaker Gregory H. Hughes raised issues related to the disclosure of information and protecting the confidentiality of legal and political strategies. Mr. Benson responded.

Sen. Karen Mayne asked about the contract bid and procurement process. Mr. Benson responded.

Sen. Luz Escamilla inquired further about the reporting of costs. Mr. Benson responded.

Mr. Ryan noted that Stag Consulting submits a quarterly progress report to the Department of Natural Resources. Sen. Escamilla asked for a copy of the report.

Sen. J Stuart Adams asked about the return on investment. Mr. Benson confirmed that the Sage Grouse is no longer listed as an endangered species.

Rep. Brian S. King commented on the disclosure of information, confidentiality, and divided loyalties.

Chair Vickers commented further about the disclosure of detailed financial information. Mr. Benson responded.

Sen. Kevin Van Tassell appreciated the work that had been done on behalf of Sage Grouse. He asked about the impact that recent fires have had on sage grouse habitats. Mr. Benson responded.

Speaker Hughes commented on Mr. Benson's request that the Committee clarify on how best to proceed to be as transparent as possible without disclosing any information that would undermine the task at hand.

Mr. Brian Tarbot, Chief Civil Deputy, Attorney General's Office, gave a brief update on the Sage Grouse litigation strategy. He was assisted by Tony Rampton, Attorney General's Office, and Braydon Shepherd, PLPCO.

7 . Federal Real ID

Mr. Syphus gave a brief introduction to the Issue Brief, "Department of Public Safety: State Identification and the Federal Real ID Act," and reviewed the Analyst's recommendations.

[7-Issue Brief - 2018 Interim - DPS State Identification and the Federal Real ID Act](#)

Sen. Iwamoto asked about a grace period to comply with the REAL ID ACT. Mr. Syphus responded.

Mr. Chris Caras, Director, Driver License Division, Department of Public Safety, provided some historical detail about the Real ID Act and discussed steps that need to be taken in moving forward toward compliance.

Sen. Van Tassell asked clarifying questions.

Rep. Mike Schultz asked about a statute change and the possibility of a special session. Mr. Caras responded.

Mr. Jonathan Ball, Director, LFA, asked why the prohibition was placed on moving forward with the Real ID Act in 2010. Mr. Caras responded.

Mr. Caras added that in addition to working with the Governor's Office, the division has been working with Sen. Wayne Harper who has opened a bill file to address the compliance issue.

Chair Vickers inquired about a draft letter that needs to be sent to the Department of Homeland Security in order for the State to be granted recertification status. Mr. Caras responded.

Chair Vickers referred to a letter behind Tab 7 from chairs of the Executive Office and Criminal Justice Appropriations Subcommittee to the Department of Homeland Security. Mr. Syphus responded.

Mr. Caras concluded his remarks.

8 . Homeless Coordinating Committee Report on Fund Awards

Mr. Jonathan Hardy, Director, Housing and Community Development Division, discussed the report.

[8a-Memorandum Re: State Homeless Coordinating Committee Report](#)

[8c-Downtown Shelter Purchase Proposal](#)

[8b-Memorandum from Department of Workforce Services](#)

Rep. Briscoe asked about the Homeless to Housing Account awards to The Road Home.

Speaker Hughes expressed his appreciation to the Department of Workforce Services for their willingness to acquire The Road Home building.

9 . Other Business/Adjourn

[9a-Rocky Mountain Center for Occupational and Enviro. Health Report on Assessment Offset for Donations](#)

[9b-Rocky Mountain Center for Occupational and Enviro. Health Report on Eddie P. Mayne Workplace Safety](#)

[9c-Tax Commission Report on Beer Excise Tax Revenues, FY 2018](#)

MOTION: Rep. Last moved to adjourn. The motion passed with a vote of 15 - 0 - 5 .

Yeas-15

Sen. J. Adams

Sen. L. Escamilla

Nays-0

Absent-5

Rep. J. Briscoe

Sen. G. Davis

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Chair Vickers adjourned the meeting at 12:09 p.m.